

LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF SAN BERNARDINO

SCHEDULE OF FEES AND CHARGES
EFFECTIVE JUNE 1, 2004

The submission of a proposal to LAFCO cannot be officially accepted for processing until the filing fees have been received. These fees ordinarily involve the LAFCO filing fee, environmental review fee, and deposits for the recovery of the Commission's direct costs. In addition, certain fees are required at the conclusion of the process prior to its official completion. All of the LAFCO fees are outlined below:

APPLICATION SUBMISSION:

A. LAFCO Filing Fees for Jurisdictional Changes (see automatic waiver provisions under "Policies Related to Implementation of Fee Schedule" (page 7), for further information):

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| 1. | Annexation, Detachment, Reorganization (involving solely annexations and/or detachments), or Sphere of Influence Review | \$4,000 |
| | <small>The fee identified above shall be assessed for each area of consideration within the proposal. A single area means any separate geographical area requiring a legal description. A "single area" does not include two areas that are contiguous only at a point, or two or more areas that are contiguous to an existing boundary of a city or district but not to each other.</small> | |
| 2. | Reorganization | Highest Component Charge |
| | <small>For a reorganization that involves any combination of changes beyond simply annexations and detachments, the fee will be based upon the components of the reorganization. The fee charged will reflect the highest cost for a change of organization component included within the application.</small> | |
| 3. | Dissolution, Merger, Consolidation or Establishment of Subsidiary Districts | \$4,250 |
| 4. | Formation of a District | \$5,300 |
| 5. | Incorporation or Disincorporation of a City, or Consolidation of Cities | \$7,950 |
| 6. | Addition/Deletion of Powers for Special Districts | \$3,750 |
| 7. | Deposit for Mandatory Five-Year Sphere of Influence Review | \$ 500 |

(Fee applies to mandatory five-year sphere review, and does not include application submitted for specific agency-initiated sphere changes. Agencies will be required to reimburse the Commission for all direct charges and notification costs (registered voters and landowners within and surrounding the proposal) in excess of the fee deposit outlined above. If charges billed to LAFCO are less than the amount of deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

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| 8. | Request for Reconsideration of LAFCO
Decision/Environmental Determination | \$ 750 |
| 9. | Verification of Petition Signatures
by Registrar of Voters Office | Actual Cost |

(A \$200 deposit from the applicants is required at the time of petition submission. This amount will be refunded upon certification of the petition and determination of billable charges. The charges assessed by the Registrar of Voters Office to verify petition signatures shall be payable by the affected entity in the same manner as the verification of initiative petition signatures are billed.)

B. LAFCO Filing Fee for Out-of-Agency Service Contract Review (City or District):

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| 1. | Contracts involving developments such as: subdivisions/
tracts as defined by the Subdivision Map Act (five
or more units), Specific Plans | \$2,000 |
| 2. | Contracts involving the development of units
requiring only a tract map as defined by the
Subdivision Map Act (up to four units) | \$250 per connection |
| 3. | Request for Exemption from Govt. Code Section
56133, Subsection (c) (health and safety issue) | \$500 |
| 4. | Request for Exemption from Govt. Code Section
56133 | \$2,000 |
| 5. | Review of Non-development-related Out-of-Agency
Service Contract (City or District) | \$ 250 |

C. Environmental Review Processing:

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| 1. | Environmental Review Deposit: | |
| a. | Jurisdictional Change (applicable to types of
actions listed under Item A, #1 through #6) | \$ 750 |
| b. | Service Contracts (Item B, #1 and #2) | \$ 450 |

(All applicants shall be required to pay the full costs of the Commission's environmental consultant's review regardless whether the Commission is the lead or responsible agency as defined under CEQA. Applicants shall be required to reimburse the Commission for environmental consultant charges and costs in excess of the fee deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion for jurisdictional change or issuance of the Commission's resolution for service contracts. If charges billed to LAFCO are less than the amount of deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

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| 2. | Appeal of Environmental Recommendation | \$ 750 |
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3. **Preparation of Environmental Impact Report** **Actual Cost**

(A \$6,000 deposit with LAFCO shall be required before proceeding toward preparation of the required environmental documents.)
 4. **Department of Fish and Game Fees are required to be paid at the time of filing with the Clerk of the Board of the affected County. These fees are dependent upon the action reviewed. LAFCO staff will notify the applicant of the appropriate charges:**
 - a. LAFCO-prepared Negative Declaration with biological impacts \$1,285
 - b. Negative Declaration with Fee Exemption \$ 35
 - c. LAFCO-prepared EIR \$ 885
 - d. Filing as a responsible agency \$ 35
 - e. Filing Notice of Exemption \$ 25
- C. **Deposit for Registrar of Voters Review
And Registered Voter Notification Requirements** **\$ 450**
(Annexations, Detachments, Reorganizations (including only annexations and detachments), and Sphere of Influence Reviews)

(Applicants shall be required to reimburse the Commission for Registrar of Voters charges and notification costs (notice to all registered voters within the proposal and surrounding the area according to Commission policy) in excess of the fee deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion. If charges billed to LAFCO are less than the amount of deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)
- D. **Deposit for Landowner Notification** **50¢ per parcel**
(Annexations, Detachments, Reorganizations (including only annexations and detachments), and Sphere of Influence Reviews)

(LAFCO staff shall provide individual notice to all landowners within a proposal and those surrounding the area according to Commission policy. The initiating agency or individual shall be required to reimburse the Commission for direct costs for individual notice in excess of the deposit prior to issuance of the Certificate of Completion. If the charges are less than the amount of deposit, the balance of the deposit will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)
- E. **Deposit for Display Ad Required for Incorporation,
Formation, Consolidation or Dissolution Proposals** **\$500**

(Commission policy, adopted February 21, 2001, waived the requirement for individual landowner and registered voter notice inside and surrounding a proposal for incorporation, formation, consolidation or dissolution proposals. In doing so, the Commission required that a 1/8th page display ad be provided in a newspaper of general circulation within the area and a local newspaper. Applicants shall be required to reimburse the Commission for advertisement charges in excess of the deposit prior to issuance of the Certificate of Completion. If the charges billed to LAFCO are less than the amount of deposit, the balance will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)
- F. **Comprehensive Fiscal Analysis for
Incorporation Proposal** **Actual Cost**

(A \$7,500 deposit is required at the time the application is submitted. Applicants shall be required to reimburse the Commission for all costs associated with the preparation of the Comprehensive Fiscal Analysis in excess of the deposit prior to the scheduling of the Commission hearing. If the charges billed to LAFCO for the preparation of the required document are less than the amount of the deposit, the balance will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

LEGAL FEE RESPONSIBILITY:

- A. Special Counsel Required Actual Cost
- (If special counsel is required due to a conflict of interest by LAFCO Legal Counsel, the applicant shall be required to reimburse the Commission for charges, as authorized by Government Code Section 56384.)
- B. Legal Defense Actual Cost
- As a condition of approval of any action taken by the Local Agency Formation Commission (LAFCO), the proponents may be required to defend, indemnify and hold harmless LAFCO or its agents, officers, and employees from any claim, action, or proceeding against LAFCO or its agents, officers, and employees to attack, set aside, void, or annul the approval of LAFCO concerning the proposal or any action relating to, or arising out of, such approval when such action is brought within the applicable statute of limitations. The Commission has adopted a policy and procedure setting out the process by which this charge will be applied. At the discretion of the Commission, a deposit of funds by the proponent may be required in an amount sufficient to cover the anticipated litigation costs.

COMPLETION FEES AND CHARGES:

Following Commission approval of an action, the following fees may be required. LAFCO staff will notify the applicant at the time the Commission's resolution is forwarded what fees are applicable to the proposal:

- A. Deposit for Protest Proceeding: \$ 500
- (Deposit required within 30 days of Commission approval of action –Protest Hearing will not be set until deposit has been paid)
- (Applicants shall be required to reimburse the Commission for any protest proceeding costs in excess of the deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion. If charges billed to LAFCO are less than the amount of deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)
- B. Geographic Information Management System (GIMS) Processing, required at the time the Certificate of Completion is prepared:
1. Changes requiring an update to current sphere or boundaries of participating agencies

(Fees identified below will be assessed for each area of consideration. The definition of area is provided under Application Submission on Page 1.)

Acreage	Primary Charge	Additional Agency
0 to 100 acres	\$ 300	\$35
101 to 640 acres	\$ 448	\$50
641 to 2,560 acres	\$ 580	\$75
over 2,560 acres	\$ 712	\$90

2. Incorporation, Formation, or placement of a new agency boundary or sphere into the LAFCO-maintained GIMS system \$1,500

(The fees for incorporations or formations can be deferred until the new City/Town or District receives its first revenues. A request for deferral shall be made to the Executive Officer.)

- C. At the time the Certificate of Completion is forwarded to the State Board of Equalization (SBE), application types listed under Item A - LAFCO Filing Fees Subsections 1 through 5 (except for Spheres of Influence), are charged a processing fee pursuant to SBE's adopted Fee Schedule (Government Code Section 54902.5). The standard area charge is listed below:

Single Area Charges:

Less than 1 acre	\$300
1-5 acres	\$350
6-10 acres	\$500
11-20 acres	\$800
21-50 acres	1,200
51-100	\$1,500
101-500	\$2,000
501-1,000	\$2,500
1,001-2,000	\$3,000
2,001 and above	\$3,500

(Additional types of charges are outlined in the State Board of Equalization Fee Schedule. LAFCO staff will notify the applicant of the appropriate fees.)

MISCELLANEOUS CHARGES:

The following miscellaneous charges may occur at different times within the processing of an application by LAFCO, or thereafter:

- A. State Controller's Fiscal Review for Incorporations Actual Cost
- (A \$7,500 deposit is required at the time a Request for State Controller Review is submitted. All costs in excess of this amount will be the responsibility of the Requestor for payment. Any balance remaining after payments are made to the State will be refunded to the Requestor of Review.)
- B. Workshop Fees Actual Cost
- Proponents of actions pending Commission review may request that a Commission workshop be held in their area. If the Commission agrees to conduct such a workshop session, the Commission may require reimbursement of all costs associated with that session by the proponents.
- C. Charge for Purchase of Copies:
- a. Copies from paper materials 10 cents per page
(requests in excess of 10 pages)
- b. Copies from Archive (digital data) 5 cents per page

(requests in excess of 20 pages)

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| D. | Copy of Tape of Commission Hearing | \$10 per tape |
| E. | Preparation of Transcript of Hearing | \$34 per hour |

(Those requesting a transcript of a Commission hearing will be notified of the estimated cost for preparation. The Requestor will be required to provide a deposit in the amount of the estimated cost. All costs in excess of the deposit amount will be the responsibility of the Requestor for payment. Any balance remaining after final charges are determined will be refunded to the Requestor.)

Approved and adopted by the Local Agency Formation Commission on May 19, 2004